IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

NOTICE OF MOTION NO.121 OF 2005
IN
MISCELLANEOUS PETITION NO.691 OF 2005
IN
TESTAMENTARY PETITION NO.87 OF 2004

Khairunissa M. Arif & Anr. ..Petitioners.
Vs.
Faiyaz A.A.Shaikh
& Ors. ..Respondents.

Mr.Rayan D'Souza i/b.Mr.A.S.Pai for the Petitioners.
Mr.B.B.Saraf i/b.M/s.N.N.Vaishnawa & Co. for the Respondents.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH SEPTEMBER, 2007

P.C. :

Mr.Saraf states that pending the hearing and final disposal of the suit, the Respondents will not alienate, encumber, sale, part with possession of, or create any third party right, title or interest in, to, upon or in respect of the suit properties.

2. The statement is accepted.

3. The Notice of Motion is accordingly disposed of.

4. The two suits viz. the existing suit and the Testamentary Suit No.844 of 1997 shall by consent be heard together and the parties have agreed that

common evidence be lead in both the matters.